

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 3083**

Chapter 37, Laws of 2004

58th Legislature  
2004 Regular Session

CHILD ABUSE INVESTIGATIONS--IMMUNITY

EFFECTIVE DATE: 6/10/04

Passed by the House March 9, 2004  
Yeas 95 Nays 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate March 5, 2004  
Yeas 49 Nays 0

BRAD OWEN

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**President of the Senate**

Approved March 22, 2004.

GARY LOCKE

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**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 3083** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

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**Chief Clerk**

FILED

March 22, 2004 - 4:23 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 3083**

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AS AMENDED BY THE SENATE

Passed Legislature - 2004 Regular Session

**State of Washington                      58th Legislature                      2004 Regular Session**

**By** House Committee on Judiciary (originally sponsored by Representatives Kagi, Boldt, Dickerson, Orcutt, Pettigrew and Darneille)

READ FIRST TIME 02/06/04.

1            AN ACT Relating to immunity for any person who cooperates with an  
2 investigation of child abuse or neglect; and amending RCW 26.44.060.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 26.44.060 and 1997 c 386 s 29 are each amended to read  
5 as follows:

6            (1)(a) Except as provided in (b) of this subsection, any person  
7 participating in good faith in the making of a report pursuant to this  
8 chapter or testifying as to alleged child abuse or neglect in a  
9 judicial proceeding shall in so doing be immune from any liability  
10 arising out of such reporting or testifying under any law of this state  
11 or its political subdivisions.

12            (b) A person convicted of a violation of subsection (4) of this  
13 section shall not be immune from liability under (a) of this  
14 subsection.

15            (2) An administrator of a hospital or similar institution or any  
16 physician licensed pursuant to chapters 18.71 or 18.57 RCW taking a  
17 child into custody pursuant to RCW 26.44.056 shall not be subject to  
18 criminal or civil liability for such taking into custody.

1 (3) Conduct conforming with the reporting requirements of this  
2 chapter shall not be deemed a violation of the confidential  
3 communication privilege of RCW 5.60.060 (3) and (4), 18.53.200 and  
4 18.83.110. Nothing in this chapter shall be construed as to supersede  
5 or abridge remedies provided in chapter 4.92 RCW.

6 (4) A person who, intentionally and in bad faith or maliciously,  
7 knowingly makes a false report of alleged abuse or neglect shall be  
8 guilty of a misdemeanor punishable in accordance with RCW 9A.20.021.

9 (5) A person who, in good faith and without gross negligence,  
10 cooperates in an investigation arising as a result of a report made  
11 pursuant to this chapter, shall not be subject to civil liability  
12 arising out of his or her cooperation. This subsection does not apply  
13 to a person who caused or allowed the child abuse or neglect to occur.

Passed by the House March 9, 2004.

Passed by the Senate March 5, 2004.

Approved by the Governor March 22, 2004.

Filed in Office of Secretary of State March 22, 2004.